

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Figs. 1 and 4. These sheets, which includes Figs. 1 and 4, replace the original sheets including Figs. 1 and 4.

Attachment: Replacement Sheets

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

The Applicants have amended claims 7, 11, 14, 17 and 20. Accordingly, claims 1-20 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **2.) Allowable Subject Matter**

The Applicants gratefully acknowledge the conditional allowance of claims 4-10, 13, 16 and 19.

### **3.) Examiner Objections - Drawings**

The drawings were objected to because in Figure 1 and 4, functional blocks should be labeled with corresponding functional names. The Applicants have amended the drawings as suggested by the Examiner and have attached Replacement Sheets. The Examiner's approval of the amended drawing is respectfully requested.

### **4.) Examiner Objections - Claims**

The Examiner objected to claims 4-11, 14 17 and 20 as being in improper form in multiple dependent claims. The Applicants have amended the claims to put them in proper form. The Examiner's consideration of the amended claims is respectfully requested.

### **5.) Claim Rejections – 35 U.S.C. § 102(b) or 103(a)**

The Examiner rejected claims 1-3, 11, 12, 14, 15, 17, 18 and 20 under 35 U.S.C. § 102(b) as being anticipated by Dahlman, et al. (US 6,173,162) or under or 35 U.S.C. § 103(a) as unpatentable over Dahlman. The Applicants respectfully traverse the rejection. Examiner interprets the required quality ( $Q_{req}$ ) in Dahlman as "a signal strength reference value for each of a plurality of channels". However, Dahlman does not disclose the step of: "maintaining the calculated signal strength reference value for a

channel at or above a predetermined minimum signal strength reference value". The only reference in Dahlman regarding keeping values above some threshold is in col. 2, lines 1-3 where the *measured*, not reference, SIR is to be kept above the SIR reference, which is not predetermined but may be adjusted adaptively. Thresholds are also mentioned at col. 8, lines. 55-60. Again, the *measured*, not reference, SIR is compared to two thresholds to determine what power command to transmit. The thresholds are determined from the required quality ( $Q_{req}$ ) and are hence not predetermined.

Further, Dahlman does not disclose the step of: "determining a signal strength reference value...as the highest of all of the calculated signal strength reference values", which in the notation of Dahlman would mean  $SIR_{\{target\}} = \max_i Q_{\{req,i\}}$ . Dahlman merely says, at col. 7, lines 17-19, that the SIR target can be adapted in accordance with the most stringent requirement, which would mean to increase SIR target by a step (y dB) if at least one radio bearer (RB) requires it as seen, for example, in Figure 5 of Dahlman.

Finally, Dahlman does not disclose a "signal strength reference value to be used for all of the plurality of channels". Instead, it is clear from Figure 5 that the  $SIR_{\{target\}}$  is intended for PCCH, and from Figures 6 and 7 and col. 8, lines 27-46 that PCCH, and each of the PDCHs are power controlled individually.

Inasmuch that Dahlman does not disclose nor suggest the present invention, the allowance of claims 1-3, 11, 12, 14, 15, 17, 18 and 20 is respectfully requested.

## **6.) Prior Art Not Relied Upon**

In paragraph 6 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicants' disclosure. None of the cited references alone or in combination disclose the cited reference.

## **CONCLUSION**

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore,

respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-20.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Michael Cameron  
Registration No. 50,298

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Ericsson Inc.  
6300 Legacy Drive, M/S EVR 1-C-11  
Plano, Texas 75024

(972) 583-4145  
michael.cameron@ericsson.com